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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,461	06/27/2003	Edwin Bolduan	ZTP01P12031	7291
24131	7590	12/02/2004	EXAMINER	
LERNER AND GREENBERG, PA P O BOX 2480 HOLLYWOOD, FL 33022-2480			IZAGUIRRE, ISMAEL	
			ART UNIT	PAPER NUMBER
			3765	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/609,461	Applicant(s) BOUDUAN
	Examiner Ismael Izaguirre	Art Unit 3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 31 July 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-8, 11-13, 15, 16 and 18-22 is/are rejected.

7) Claim(s) 9, 10, 14 and 17 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/27/03.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: ____ .

DETAILED ACTION

CLAIMS

Summary

Claims 1,18 and 19 are the independent claims under consideration in this Office Action.

Claims 2-17 and 20-22 are the dependent claims under consideration in this Office Action.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4,11-13,15,16 and 18-22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Magnussen et al. (573,726).

Magnussen et al. teach a method and apparatus for smoothing garments.

Magnussen et al. teach providing an item of clothing 3 (figure 1a, for example) and at least one gas jet 24 for supplying a stream of gas to the article where a portion of the garment is subjected to the gas in a direction not parallel to that portion. The garment is supported by an air permeable support (figure 4 or 6) and moves through a cabinet along a track for moving the garment for subjecting the garment to the gas (figure 2, for example). The jets are positioned on opposite sides of the track and thus subject the

garment to opposing forces of gas, which in part include moistening the garment and then drying the garment along the track of the housing.

Claims 1-4,12,13 and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hakim (573,726).

Hakim teaches a method and apparatus for smoothing garments. Hakim teaches providing an item of clothing 7 (figure 1) and at least one gas jet 21 for supplying a stream of gas to the article where a portion of the garment is subjected to the gas in a direction not parallel to that portion. The garment is supported by an air permeable support 6 and is subjected to the gas. The jet is positionable within the garment for supporting portions of the garment by the gas itself and where the gas passes through the garment out from within in opposing directions.

Claims 1-8,12,13 and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Estes et al. (5,815,961).

Estes et al. teach a method and apparatus for smoothing garments. Estes et al. teach providing an item of clothing (figure 4) and at least one moistening gas jet 42 for supplying a stream of gas to the article where a portion of the garment is subjected to the gas in a direction not parallel to that portion. The garment is supported by an air permeable support (figure 2) where the support fits within the garment and allows gas to flow to and through the garment in opposing directions, and sides of the garment, in equal force.

ALLOWABLE SUBJECT MATTER

Claims 9,10,14 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

PERTINENT CITATIONS

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wingfield et al., and Irving illustrate clothes drying enclosures with means for providing the garments with moisture and/or steam for conditioning the garments.

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (703) 308-0892. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (703) 305-1025. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ismael Izaguirre
Primary Examiner
Art Unit 3765

II
11/29/04